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Paper No. 16

Oppenheimer Wolff & Donnelly
P. O. Box 10356
Palo Alto, CA 94303

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APR 26 2004

In re Application of
Won Ho Jhe
Application No. 09/858,350
Filed: May 15, 2001
Attorney Docket No. 18070/300101

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed October 29, 2003, to revive the above-identified application.

The petition is **GRANTED**.

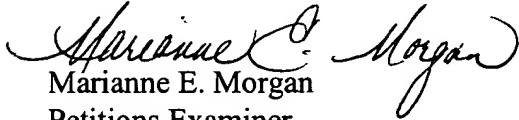
37 CFR 1.137(b) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the statement required by 37 CFR 1.137(b)(3).

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Since the \$55 extension of time submitted the present petition was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account in due course.

Additionally, there is no indication in USPTO records that a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition. However, the Office will mail all future correspondence to the address of record unless instructed otherwise.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-3475.

The application file is being forwarded to Technology Center 2800 for processing the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.

A handwritten signature in cursive script, reading "Marianne E. Morgan".

Marianne E. Morgan

Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner
for Patent Examination Policy

cc: Oppenheimer Wolff & Donnelly
45 South Seventh Street
Suite 3300
Minneapolis, MN 55402-1609